

GOVERNMENT OF THE DISTRICT OF COLUMBIA
BOARD OF ZONING ADJUSTMENT



Application No. 12544, of Robin D. Frosh, pursuant to Sub-section 8207.2 and Paragraph 8207.11 of the Zoning Regulations, for a special exception under Paragraph 3105.42 to allow a new residential development and subdivision and for a variance from the floor area ratio requirements (Sub-section 3302.1) to permit the construction of three dwellings in the R-5-A District at the premises 4447, 4447½ and 4449 MacArthur Boulevard, N.W., (Square 1363, Lot 958).

HEARING DATE: December 21, 1977

DECISION DATE: January 4, 1978

FINDINGS OF FACT:

1. The subject property is located on the north side of MacArthur Boulevard, west of Foxhall Road and is in an R-5-A District.
2. The subject lot is 6,437 square feet in area and is improved with a single family detached dwelling containing three bedrooms. The dwelling was constructed in the early 1930's.
3. The applicant seeks permission for a new residential development and subdivision to construct three row houses with respective floor areas of 2,157, 2,209 and 2,220 square feet to be known as 4447, 4447½ and 4449 MacArthur Boulevard, N.W. To accomplish this the applicant will require a variance from the floor area ratio requirements for each of the three houses consisting of 259.25 square feet (twelve per cent) 295.72 square feet (13.38 per cent) and 238.25 square feet (10.70 per cent) respectively.
4. The plans as submitted initially indicated that there was to be an efficiency apartment on the first floor of each of the three units. The plans were amended to indicate that the efficiency apartment is replaced by a recreational room. There will thus be no request for a variance from the parking requirements.

5. All of the proposed row houses will contain three bedrooms and a mezzanine level with an average floor area of 165 square feet. Front entrance built-in garages will be provided within each unit and each unit will have a loft or mezzanine level with a twelve foot ceiling height. The front and rear yards will be landscaped with shrubs and each rear yard will have a concrete patio. The existing mature trees in the rear yard will be preserved.

6. The proposed design gives the appearance of a four story building. The applicant proposes to have windows at the mezzanine level of the street side.

7. A mezzanine does not constitute a story under the Zoning Regulations as long as it occupies one third or less of the floor area of the floor immediately underneath it. Such is the situation in this application.

8. The surrounding area is composed of a combination of recently constructed row houses, wood frame detached buildings built in the 1900's and two and three story apartment buildings.

9. All proposed lots are above the 1,800 squarefoot minimum requirements for row dwellings in the R-5-A District.

10. Since the proposed development will occupy the level portion of the site, minimal regrading will be necessary to accomplish the development.

11. Since there is no rear access to the proposed development from the rear yard, trash collections will occur at the curbside in front of the site.

12. Adequate landscaping is proposed for the front and rear yards of each residence.

13. By letter of January 10, 1978, the D.C. Board of Education reported that it had no objection to the proposed dwellings since there would be no impact upon school facilities in the area. The Board so finds.

14. The Municipal Planning Office, by report dated December 15, 1977, recommended approval of the application on the grounds that the proposed use appears compatible with the surrounding residential uses and the granting of the variances would not result in undue or objectionable overcrowding of the site. The Board so finds.

15. The application was referred to the Department of Transportation and Housing and Community Development. No reports from those Departments were received.

16. There was no opposition to the granting of the application. There is a petition, on file, in favor of the application.

17. Advisory Neighborhood Commission - 3B filed no recommendation on the application.

CONCLUSIONS OF LAW:


Based on the record the Board concludes that the proposed use appears to be compatible with the surrounding residential uses which range from apartment buildings to single family, detached homes. In addition the landscaping and site plan appears to adequately protect surrounding properties from adverse affects which could result from traffic, ventilation, parking and other environmental conditions. The Board is further of the opinion that the variances required from the FAR standards of the R-5-A District which would be needed to construct this project average approximately 12% which the Board believes would not result in undue or objectionable overcrowding of this site were this application to be granted. The Board notes that some floor area is devoted to a garage, which must be provided in these dwellings since there is no alley access in the rear. Accordingly, it is ORDERED that the application is GRANTED SUBJECT to the Conditions that the plans be revised to eliminate the top windows giving an appearance of a fourth story and to add a skylight as a replacement therefore.

VOTE: 4-1 (Walter B. Lewis, Charles R. Norris, William F. McIntosh to GRANT with CONDITIONS, Chloethiel Woodard Smith in favor of the application but opposed to the conditions).

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BY ORDER OF THE D.C. BOARD OF ZONING ADJUSTMENT

ATTESTED BY:



STEVEN E. SHER
Executive Director

FINAL DATE OF ORDER: 8 FEB 1978

THAT THE ORDER OF THE BOARD IS VALID FOR A PERIOD OF SIX MONTHS ONLY UNLESS APPLICATION FOR A BUILDING AND/OR OCCUPANCY PERMIT IS FILED WITH THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT WITHIN A PERIOD OF SIX MONTHS AFTER THE EFFECTIVE DATE OF THIS ORDER.